

## TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

APPROVED

### Board of Selectmen Meeting Minutes

Monday, April 9, 2012 at 6:00 P.M.

Community Room, Town Offices, 25 Bryant Lane

Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectwoman Elizabeth Coughlin, Selectman Allen Curseaden, Selectman Corliss Lambert

Staff Present: Michael Gilleberto, Admin Assistant Therese Gay

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

#### 1. 6:00 PM Open Meeting/Pledge of Allegiance

The Chairman called the meeting to order. The Board was introduced, the Pledge to the Flag, and the Agenda was read by Selectwoman Coughlin, Clerk of the Board.

#### 2. New Business

##### A. Liquor License Transfer Request – Double D Pub, Inc. 147 Frost Road

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Curseaden to open the hearing. Selectwoman Coughlin, Clerk of the Board read the legal notice as advertised in the local newspaper on Thursday March 29, 2012.

Attorney Don Aieta introduced himself and Mr. Donato Dirocco and Mr. Donald Lamoreux the petitioners of the Double D Pub. Attorney Aieta presented the petition for the all alcoholic beverages to be drunk on premise license that was held by KAZ United Corp. Mr. Dirocco is TIPS Certified and has many years of experience in the restaurant business most of it in Town. The Board has welcomed Mr. Dirocco back to Town and wished him successt with the reopening of the Pub.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Curseaden to close the hearing.

The Board voted 5-0 on a motion by Selectwoman Coughlin to grant the all alcoholic beverages to be drunk on premise license as presented.

The Board voted 5-0 on a motion by Selectman Lambert, second by Selectwoman Coughlin to approve the operating hours of Monday – Sunday from 8am to 2 am.

##### • Other Licenses Requested

###### 1. Common Victualler

The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Jackson to approve the Common Victualler License as presented.

###### 2. Weekday and Sunday Entertainment

The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Curseaden to approve the Weekday License to allow the follow entertainment: Dancing by Patrons, Vocalists, Disc Jockey, a 15 piece Orchestra with vocalist, a 6 piece Band with vocalist, and Floor Show specific to Comedy, Television, Radio/Stereo and Piped in Music from Monday to Saturday 8am to 2am.

The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Lambert to approve the Sunday License to allow the follow entertainment: Dancing by Patrons, Vocalists, Disc Jockey, a 15 piece Orchestra with vocalist, a 6 piece Band with vocalist, and Floor Show specific to Comedy, Television, Radio/Stereo and Piped in Music for Sunday 1pm to 2am.

### **B. Reappointment – Veterans' Benefit and Services Agent**

The Board voted 4-0-1 on a motion by Selectman Jackson, second by Selectwoman Coughlin to reappoint Christopher Dery as the Veterans' Benefit and Service Officer pursuant to Mass General Law Chapter 115 from May 1, 2012 to April 30, 2013. Selectman Curseaden recused himself as he is in the same bargaining unit as the Agent.

### **3. Old Business – No old business this evening.**

### **4. Citizen/Business Time – No one came forward this evening.**

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

### **5. Meeting Minutes: Review/Approve**

#### **A. Monday, December 12, 2011**

The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Jackson to approve the Minutes of Monday December 12, 2011.

**The remaining minutes have been deferred to the next scheduled meeting.**

#### **B. Monday, January 30, 2012**

#### **C. Monday, February 13, 2012**

#### **D. Monday, February 27, 2012**

#### **E. Monday, March 12, 2012**

### **Executive Session Minutes: Review/Approve/Not Release**

#### **A. Monday, November 21, 2011**

#### **B. Thursday, December 8, 2011**

#### **C. Monday, January 23, 2012**

#### **D. Monday, February 13, 2012**

#### **E. Monday, March 12, 2012**

### **Meeting Minutes/Executive Session Minutes Undrafted**

#### **Monday, October 17, 2011**

#### **Monday, March 26, 2012**

### **6. Correspondence**

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law and may be posted online at [www.tyngsboroughma.gov](http://www.tyngsboroughma.gov). Copies of correspondence may be requested from the Office of the Board of Selectmen.

The correspondence was read by Selectwoman Coughlin, Clerk of the Board. The Board voted on a motion by Selectwoman Coughlin, second by Selectman Lambert to accept the correspondence as read. Discussions: Selectwoman Coughlin commented on a radio report that there was a major power outage in Chelmsford and Lowell, national grid reported a transformer malfunctioned, commented that the problems continue but not in Tyngsborough this time. A procedural letter was received by the Board thanking the Town for submitting comments during a public hearing that was held. Chairman Reault informed the residents that the police department is checking for out of state motor vehicle violations and read the police report on the violations.

## 7. Selectmen's Reports

- Selectman Coughlin – Energy & Environmental Affairs /Licenses /Insp/Util/Transportation/Base Compact

The COA gets a gold star for everything they do. I attended the voluntary day at the center it was a nice time. The street signal on Dunstable Road needs adjusting. I have meetings set up with National Grid and also with the Post Commander at Fort Devens to discuss the Base covenant.

- Selectman Reault – Northern Middlesex Council Of Government – No notes
- Selectman Jackson – Street Acceptance/Roads

I attended the COA's Art Show and it was spectacular, I was amazed by the artistic talent of our citizens. I would be interested to show the art at Town Hall. On the Roads I met with Steve Nocco, Planning Board, and Town Counsel on Thursday of last week and we spent two hours discussing road acceptance; how to secure the Bond Money, Town Counsel provided a clear path on how to move forward, and second the Town By-laws in regards to acceptance. Town Counsel indicated that the town by-laws are antiquated and to remove them from the book. Town by-law and State laws are in conflict, will ask that Town Counsel write a letter. The Chairman of the Planning Board brought up the process and sees no reason not to accept all the roads within the next couple of years. Selectwoman Coughlin asked to have Town Counsel address the role of home rule.

- Selectman Curseaden – Technology, Pawtucket Blvd Project, Abandoned Homes

I also congratulate Michael. The Pawtucket Blvd Contractors has been remobilized, the pole will be removed and the concrete break test has met the specification. The IPads update. A vote was taken to authorize the lease and it has not been executed. There are 7 Ipads to lease and the IT dept will provide training seminars. There was some discussion at the conclusion the Board voted 4-1 on a motion by Selectman Curseaden, second by Selectman Lambert to move forward and order the 7 IPDAS and move with the IT seminars. I heard an interesting situation regarding the mail I would like to know what has happened and would like some feedback on the mail distribution.

- Selectman Lambert congratulated Michael on the birth of his son. I compliment the Highway Department for doing a good job in the spring clean-up. The Christmas decorations are still up. The traffic lights north/south at the bridge need to be adjusted as the traffic flow has slowed during peak time. I have asked for copies of the OPM proposal and contract to review. I find that the fact I don't have a School Committee budget to view, Michael will e-mail him a copy.

## 8. Town Administrator's Reports

I did not prepare a written report for this evening. The Fiscal 2013 budget is being presented to the Finance Committee; they have already met 7 to 8 times interviewing the department heads. There will be a Tri-Board meeting on Tuesday April 17 with the Finance Committee and the School Committee.

## 9. Work Session (if needed) – No Work Session this evening.

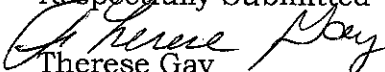
## 10. Executive Session (if needed) – No Executive Session this evening.

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

## 11. Adjournment

The Board voted on a motion by Selectman Lambert, second by Selectman Jackson to adjourn the meeting. The meeting was adjourned at 7:29 PM.

Respectfully Submitted

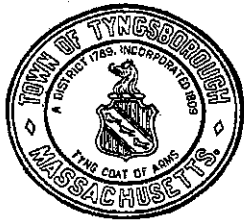
  
Therese Gay

Admin Assistant

Approved on May 14, 2012

# Board of Selectmen Correspondence - Week of April 6, 2012

[illegible]



## **TOWN OF TYNGSBOROUGH**

Office of the Board of Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

### **Board of Selectmen Meeting Notice**

Monday, April 9, 2012 at 6:00 P.M.

Community Room, Town Offices, 25 Bryant Lane

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

#### **1. 6:00 PM Open Meeting/Pledge of Allegiance**

#### **2. New Business**

##### **A. Liquor License Transfer Request – Double D Pub, Inc. 147 Frost Road**

##### **• Other Licenses Requested**

##### **1. Common Victualler**

##### **2. Weekday and Sunday Entertainment**

##### **B. Reappointment – Veterans' Benefit and Services Agent**

#### **3. Old Business**

#### **4. Citizen/Business Time**

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

#### **5. Meeting Minutes: Review/Approve**

##### **A. Monday, December 12, 2011**

##### **B. Monday, January 30, 2012**

##### **C. Monday, February 13, 2012**

##### **D. Monday, February 27, 2012**

##### **E. Monday, March 12, 2012**

##### **Executive Session Minutes: Review/Approve/Not Release**

##### **A. Monday, November 21, 2011**

##### **B. Thursday, December 8, 2011**

##### **C. Monday, January 23, 2012**

##### **D. Monday, February 13, 2012**

##### **E. Monday, March 12, 2012**

##### **Meeting Minutes/Executive Session Minutes Undrafted**

##### **Monday, October 17, 2011**

##### **Monday, March 26, 2012**

#### **6. Correspondence**

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law and may be posted online at [www.tyngsboroughma.gov](http://www.tyngsboroughma.gov). Copies of correspondence may be requested from the Office of the Board of Selectmen.

**7. Selectmen's Reports**

- Selectman Coughlin – Energy & Environmental Affairs /Licenses /Insp/Util/Transportation/Base Compact
- Selectman Reault – Northern Middlesex Council Of Government
- Selectman Jackson – Street Acceptance/Roads
- Selectman Curseaden – Technology, Pawtucket Blvd Project, Abandoned Homes
- Selectman Lambert -

**8. Town Administrator's Reports**

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

**9. Work Session (if needed)**

**10. Executive Session (if needed)**

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- Collective Bargaining

**11. Adjournment**

**Future Meetings**

**Selectmen's Meeting Monday, April 9, 2012 at 6:00 PM at the Town Offices**

**Selectmen's Meeting Monday, April 30, 2012 at 6:00 PM at the Town Offices**